

Appl. Serial No. 09/990,542
Amendment Dated August 30, 2005
Reply to Office Action Mailed June 30, 2005

REMARKS

In the Office Action dated June 30, 2005, claims 36, 39, and 44 were rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter.

Applicant acknowledges the allowance of claims 1-8, 9-17, 20-32, 34, 35, 41, 46, and 47.

SUMMARY OF TELEPHONIC INTERVIEW

A telephonic interview was conducted between the undersigned and the Examiner on August 25, 2005, to discuss the § 101 rejection of claims 36, 39, and 44. No prior art references were discussed in the interview.

In the telephonic interview, the undersigned pointed to the recitation of "computer" that was already present in claims 36, 39, and 44 (*see, e.g.*, line 5 of claim 36, line 5 of claim 39, and lines 4 and 6 of claim 44). It was urged that the claims were statutory in view of the recitation of "computer" in these claims. Therefore, the undersigned argued that the § 101 rejection of claims 36, 39, and 44 was improper.

However, to avoid any further delays in getting this application allowed, the undersigned agreed to add the language suggested by the Examiner into claims 36, 39, and 44. Note that the added phrase "executable on a computer" is made to improve the form of claims 36, 39, and 44, and does not narrow the scope of the claims. In the telephonic interview, the Examiner indicated that these amendments will be entered.

In the Examiner's statement of reasons for allowance on pages 4-6, an exact paraphrasing of claims 1, 9, 22, and 46 was not provided. For example, it is noted that the Examiner introduced certain extra words, such as "then," "while," and "if" in the paraphrasing of the claims. It is respectfully submitted that the construction of the claims should be based on the exact words of the claims themselves, not on the inexact paraphrasing of the claims made in the Office Action.

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Allowance of all claims is respectfully requested. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 08-2025 (200302030-2).

Respectfully submitted,

Date: _____

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